

Appl. No. 10/771,406
Amendment dated: June 9, 2006
Reply to OA of: November 22, 2005

REMARKS

Applicants have further amended the claims to use consistent language with respect to the wasted sludge. There was no rejection of any claim under 35 USC 112 in the Official Action dated November 22, 2005. Moreover, this Official Action indicated the allowability of claim 16. The claims were amended to place the application in condition for allowance by restricting the application to the indicated allowable subject matter. However, a final rejection was issued, rejecting all of the claims under 35 USC 112, as indefinite. Applicants have further amended the claims to overcome this rejection. It is understood that the claims are free of the prior art.

The Examiner is thanked for the courtesy of the brief telephone interview with the undersigned attorney to try to work out allowable claims. However, the Examiner pointed out that he was away on assignment and could not discuss the proposed amendments over the telephone. The present amendments are being made in a further effort to place the application in condition for allowance. If further clarifying amendments are necessary, the Examiner is requested to contact the undersigned attorney to obtain agreement on any further amendments in an effort to expedite the application to an early allowance.

The rejection of claims 1-11, 13-15 and 17 under 35 USC 112, second paragraph has been carefully considered but is most respectfully traversed in view of the amendments to the claims.

Claim one first appearing recitation of the biological wasted sludge as lacking antecedent basis has been corrected by amending claim one at line one to return the language as originally presented as biological wasted sludge. This amendment obviates this aspect of the rejection.

Claim 10 has been amended to delete the reference to an agitator which had previously been added to claim by the previous amendment. A similar correcting amendment has been made to claim 14. Accordingly, it is most respectfully requested

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that this aspect of the rejection be withdrawn. In view of the above amendments, it is most respectfully requested that the rejection under 35 USC 112, second paragraph be withdrawn.

Additionally, Applicants note that the required certified copy of priority document number 092120581, benefit of which is claimed in the declaration of this application was submitted with the last response. This document appears in the image file wrapper of this file. The Examiner is most respectfully requested to acknowledge receipt of this certified copy in the next Official Action.

In view of the above comments and further amendments to the claims favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,

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